

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

UNITED STATES OF AMERICA)	
)	
)	No. 3:17-CR-82
v.)	
)	JUDGE VARLAN
HEATHER ANN TUCCI-JARRAF)	

UNITED STATES' SENTENCING MEMORANDUM

The United States of America, by and through the United States Attorney for the Eastern District of Tennessee, submits this Sentencing Memorandum pursuant to Rule 32 of the Federal Rules of Criminal Procedure. The United States filed an Objection to the PSR dated June 6, 2018 and relies on the filing in support of that objection.

The United States respectfully requests that the Court grant its objection to the PSR and amend the PSR to impose a 2 level enhancement for Abuse of Position of Trust or Use of Special Skill, thereby making the defendant's advisory guideline a level 24. The United States further requests that the Court impose a sentence which includes a term of imprisonment at the top of the revised advisory Sentencing Guidelines for a total term of imprisonment of 63 months, to be followed by a term of supervised release of 3 years. The United States believes that the recommended sentence is sufficient, but not greater than necessary, to accomplish the sentencing purposes set forth in Title 18, United States Code, Section 3553(a)(2) and would be an appropriate sentence in this case.

In addition to the Guidelines range and the recommendations of the Sentencing Commission, the Court must also consider the Title 18, United States Code, Section 3553(a) factors. The factors in Title 18, United States Code, Section 3553(a) support a conclusion that this defendant should not be given leniency. In this case, the defendant advised co-defendant Beane and others to violate

federal law by weaving a fantasy that she, personally, had somehow foreclosed upon the United States government. Defendant asserted in the trial of this case that the Federal Reserve had secret accounts, and that the United States government and its Court system was participating in a fraud upon the people. Further, Defendant continues to refuse to acknowledge the validity of this Court and its orders, and is in blatant disregard of this Court's order to return the Jury information in this case.

As provided in Title 18, United States Code, Section 3553(a)(2), the need for the sentence imposed to reflect the seriousness of the offense, to afford adequate deterrence, and to protect the public are factors the Court shall consider in sentencing determination. As noted above, this offense is serious and the sentence should reflect its serious nature. Additionally, the defendant's sentence must deter her from committing crimes in the future and should also deter others from engaging in the same behavior.

CONCLUSION

For the reasons set forth above, the United States respectfully submits that a term of imprisonment of 63 months, to be followed by a term of supervised release of 3 years, is an appropriate sentence under the circumstances of this case and would be sufficient, but not greater than necessary, to accomplish the sentencing purposes embodied in Title 18, United States Code, Section 3553(a)(2).

Respectfully submitted this 10th day of July, 2018.

J. DOUGLAS OVERBEY
UNITED STATES ATTORNEY

By: s/ Cynthia F. Davidson

Cynthia F. Davidson
Anne-Marie Svolto
Assistant United States Attorneys

CERTIFICATE OF SERVICE

I hereby certify that on July 10, 2018, the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system.

By: s/ Cynthia F. Davidson
Cynthia F. Davidson
Assistant United States Attorney